

Message Text

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ACTION ARA-14

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FM AMEMBASSY BUENOS AIRES
TO SECSTATE WASHDC IMMEDIATE 2381

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E.O. 11652: N/A
TAGS: SHUM, AR
SUBJECT: ARGENTINE DETAINEES: GUILLERMO AND LILIANA VOGLER

REF: STATE 216642

1. EMBASSY HAS HAD TWO DISCUSSIONS WITH LUZ BOGLER, WIFE OF GUILLERMO, REGARDING INFORMATION CONTAINED REFTEL TO EFFECT THAT DR. FURNESS HAS INFORMATION THAT GUILLERMO VOGLER HAS BEEN CHARGED WITH ILLEGAL POSSESSION OF ARMS. LUZ VOGLER DISCUSSED THIS CHARGE WITH GUILLERMO VOGLER ON SUNDAY SEPTEMBER 18 AND HAS INFORMED EMBASSY THAT NEITHER SHE NOR GUILLERMO VOGLER ARE AWARE OF ANY NEW CHARGES AGAINST HIM.

2. GUILLERMO VOGLER WAS ARRESTED ON DECEMBER 13, 1975 AND CHARGED WITH ILLEGAL POSSESSION OF WEAPONS. THIS CHARGE WAS BASED ON HIS POSSESSION OF A 22 CALIBER PISTOL WHICH WAS FOUND IN GLOVE COMPARTMENT OF HIS CAR AT THE TIME OF HIS ARREST. MR. VOGLER CARRIED THE WEAPON IN THE COURSE OF HIS DUTY IN TRANSPORTING LARGE SUMS OF MONEY IN CONNECTION WITH HIS JOB AT THE BANCO NACIONAL IN RIO CUARTO.

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3. ON FEBRUARY 13, 1976 A FINAL DECISION ("SOBRESAMIENTO DEFINITIVO") WAS ISSUED WITH RESPECT TO THE ILLEGAL POSSESSION OF ARMS CHARGE. THE CHARGE WAS COMPLETELY DISMISSED BY FEDERAL JUDGE JOSE MARIA ALIAGA, FEDERAL JUDGE IN RIO CUARTO.

4. IT SEEMS UNLIKELY TO EMBASSY THAT GOA WOULD RENEW ILLEGAL POSSESSION OF ARMS CHARGES AGAINST GUILLERMO VOGLER. FIRST,

THESE CRIMINAL CHARGES HAVE ALREADY BEEN ADJUDICATED AND DISMISSED BY A CIVILIAN COURT. SECOND, THE EVENTS TOOK PLACE PRIOR TO NOVEMBER, 1976 AND DID NOT INVOLVE MILITARY PERSONNEL OR PROPERTY. THUS, THEY ARE TECHNICALLY NOT SUBJECT TO ADJUDICATION BY THE MILITARY COURT SYSTEM. AFTER NOVEMBER, 1976, THE MILITARY COURT SYSTEM WAS EMPOWERED TO TRY ALL CASES OF SUBVERSION.

5. GUILLERMO VOGLER REMAINS IN UNIT 9 AT LA PLATA PRISON, WHICH IS REPORTEDLY AMONG THE BETTER DETENTION FACILITIES FOR POLITICAL PRISONERS. HE IS VISITED EACH SUNDAY BY HIS WIFE LUZ. HE IS REPORTED TO BE IN POOR PHYSICAL CONDITION SUFFERING FROM NERVOUS STOMACH PROBLEMS. DUE TO ADDITIONAL MONEY HIS WIFE PROVIDES HE IS ABLE TO BUY EXTRA RATIONS. A HABEAS CORPUS PETITION HAS BEEN FILED ON GUILLERMO VOGLER'S BEHALF SEEKING HIS RELEASE DUE TO THE FAILURE OF THE GOA TO PRESENT REASONS FOR HIS DETENTION. THE PETITION IS PENDING BEFORE A FEDERAL JUDGE. LUZ VOGLER EXPECTS FURTHER WORD ON THE PETITION IN EARLY OCTOBER.

6. LILIANA VOGLER, LUZ AND GUILLERMO'S DAUGHTER, REMAINS IN VILLA DEVOTO PRISON. SHE IS BEING HELD BOTH UNDER THE PEN AND UNDER PREVENTIVE DETENTION. A DECISION WITH RESPECT TO THE CRIMINAL PROCEEDING IS EXPECTED IN TWO MONTHS. LUZ BOGLER IS CONCERNED BECAUSE LILIANA VOGLER MADE A FULL CONFESSION AFTER SEVERE BEATINGS AND A THREATENED EXECUTION. WHEN LIMITED OFFICIAL USE

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LILIANA VOGLER TRIED TO RENOUNCE HER FORMAL CONFESSION IT WAS NOT ALLOWED BY THE PRESIDING JUDGE. THIS IS CONTRARY TO NORMAL PRACTICES IN ARGENTINE COURTS. LUZ VOGLER HAS BEEN UNABLE TO SEE HER TOR THE LAST WTO WEEKS AS SHE IS BEING PUNISHED IN SOLITARY CONFINEMENT FOR REPORTEDLY REFUSING TO PERMIT A COMPLETE BODY SEARCH. ACCORDING TO HER MOTHER, SHE IS NOT PERMITTED PAPERS, WORK, READING MATERIALS NOR EXERCISE DURING DETENTION IN SOLITARY CONFINEMENT. SOLITARY CONFINEMENT IS THE NORMAL PUNISHMENT METED OUT FOR FAILURE TO COMPLY WITH PRISON REGULATIONS.

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